

**2011
Hill Country Village
Police Department
Racial Profiling Report**

Summary Statement

The findings suggest that the Hill Country Village Police Department does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has not received complaints from community members regarding officers misconduct associated with racial profiling practices.

The continuing effort to collect police contact data will assure an on-going evaluation of the Hill Country Village Police Department practices. Thus, allowing for the citizens of Hill Country Village to benefit from professional and courteous service from their police department.

A handwritten signature in black ink, appearing to read 'I. Urias', is written above a horizontal line.

Sgt. I. Urias #301

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Introduction

CITY OF HILL COUNTRY VILLAGE

Department of Police

Office of the Chief

Frank Morales

116 Aspen Lane

Hill Country Village, Texas 78232

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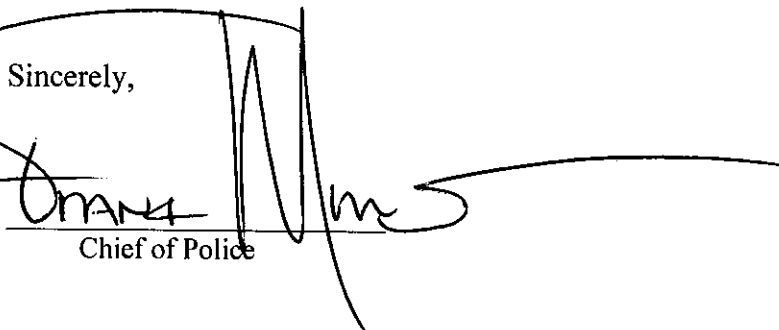
January 12, 2012

Since January 1, 2011, the Hill Country Village Police Department in accordance with the Texas Racial Profiling Law (S.B. No. 1074), has been collecting police contact data for the purpose of identify and responding (if necessary) to concerns regarding racial profiling practices. It is my hope that the findings provided in this report will serve as evidence that the Hill Country Village Police Department continues to strive towards the goal of maintaining strong relations with the community.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Hill Country Village Police Department banishing the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of January 01, 2011 through December 31, 2011. This information has been analyzed and compared to the Department of Public Safety data on motorists residing in the 78232 zip code area. It is my sincere hope that the channels of communication between community leaders and the Hill Country Village Police Department continue to strengthen as we move forward to meet the challenges of the near future.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Frank Morales', is written over a horizontal line.

Chief of Police

Hill Country Village Police Department Data

**Department of Public Safety Data
For Zip Code 78232**

Traffic Stop Searches and Arrests Report

Race/Ethnicity	Gender	# of Each	Searched	Consented	Probable Cause	Arrests
African						
	Female	9	0	0	0	1
	Male	7	0	0	0	2
Sum		16	0	0	0	3
Percent		4.76%	0.00%	0.00%	0.00%	8.33%
Asian						
	Female	2	0	0	0	0
	Male	3	0	0	0	0
Sum		5	0	0	0	0
Percent		1.49%	0.00%	0.00%	0.00%	0.00%
Caucasian						
	Female	67	2	0	2	3
	Male	124	7	1	7	12
Sum		191	9	1	9	15
Percent		56.85%	36.00%	100.00%	36.00%	41.67%
Hispanic						
	Female	36	2	0	2	4
	Male	88	14	0	14	14
Sum		124	16	0	16	18
Percent		36.90%	64.00%	0.00%	64.00%	50.00%
Grand Total		336	25	1	25	36

Stops of Local Residents Report

Race/Ethnicity	# of Residents Stopped
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African	
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	0
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Sum	0
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Percent	0.00%
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Asian	
-------	--

	0
--	---

Sum	0
-----	---

Percent	0.00%
---------	-------

Caucasian	
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	9
--	---

Sum	9
-----	---

Percent	81.82%
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Hispanic	
----------	--

	2
--	---

Sum	2
-----	---

Percent	18.18%
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Grand Total	11
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Traffic Stops by Race and Gender

Race/Ethnicity	Gender	# of Each
African	Female	9
	Male	7
	Sum	16
	Percent	4.76%
<hr/>		
Asian	Female	2
	Male	3
	Sum	5
	Percent	1.49%
<hr/>		
Caucasian	Female	67
	Male	124
	Sum	191
	Percent	56.85%
<hr/>		
Hispanic	Female	36
	Male	88
	Sum	124
	Percent	36.90%
Grand Total		336

CITY OF HILL COUNTRY VILLAGE

Police Department
116 Aspen Lane
Hill Country Village, Texas 78232
Office: 210.494.3671

January 12, 2012

MEMORANDUM FOR Mayor Kirk Francis and City Council

FROM: Sgt I. Urias

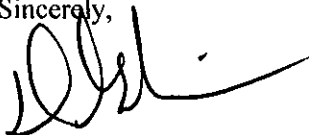
SUBJECT: Department of Public Safety Data for 78232

White	31,548
Black	1,286
Hispanic	755
Indian	45
Asian	1,081
Other	1,655
Total	36,370

The information was generated in January of 2012. It includes only race classifications that the Department of Public Safety. The race classification names are the ones used by the Department of Public Safety.

“Other” is defined as individuals as mixed races/backgrounds who refuse to accept any other race classification.

Sincerely,



I. Urias, Badge #0301
Sergeant

Senate Bill 1074

AN ACT

relating to the prevention of racial profiling by certain peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;
(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained;

and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual

who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND

PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop;
and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax

effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling; and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [(7)] the date of conviction; and

(9) [(8)] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as

added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001.

S.B. No. 1074

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

S.B. No. 1074

Approved:

Date

Governor

Hill Country Village Police Department
Racial Profiling Policy 400.16

400.16 RACIAL PROFILING POLICY

1.0. Policy and Purpose

1.1. This Racial Profiling Policy is adopted in compliance with the requirements of Articles 2.131 through 2.136, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in racial profiling.

2.0. Definitions

2.1. Racial Profiling: means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.

2.2. Race or Ethnicity: means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

2.3. Acts Constituting Racial Profiling: are acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest based solely upon an individual's race, ethnicity, or national origin or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.

2.4. Pedestrian Stop: means an interaction between a peace officer and an individual who is being detained for the purposes of a criminal investigation in which the individual is not under arrest.

2.5. Traffic Stop: means the stopping of a motor vehicle by a peace officer for an alleged violation of law or ordinance regulating traffic.

3.0. Prohibition

3.1. Peace officers of the City of Hill Country Village are strictly prohibited from engaging in racial profiling. The prohibition against racial profiling does not preclude the use of race, ethnicity, or national origin as factors in a detention decision by a peace officer. Race, ethnicity, or national origin may be legitimate factors in such a decision when used as part of a description of a suspect or witness for whom a peace officer is searching.

4.0. Complaint Process and Public Education

4.1. Any person who believes that a peace officer employed by the City has engaged in racial profiling with respect to that person may file a complaint with the City, and no

person shall be discouraged, intimidated, or coerced from filing such a complaint, or be discriminated against because they have filed such a complaint.

4.2. The City shall accept and investigate citizen complaints alleging racial profiling by its peace officers. Such complaints shall be in writing, or the city employee, officer, or official receiving the complaint should reduce the same to writing, and should include the time, place, and details of the incident of alleged racial profiling, the identity or description of the peace officer or officers involved, and the identity and manner of contacting the complainant.

4.3. Any peace officer, city employee, or city official who receives a citizen complaint alleging racial profiling shall forward the complaint to the Criminal Investigator within 12 hours of receipt of the complaint. Receipt of each complaint shall be acknowledged to the complainant in writing, all such complaints shall be reviewed and investigated by the Criminal Investigator within a reasonable period of time, and the results of the Criminal Investigator's review and investigation shall be filed with the Chief of Police and with the complainant.

4.6. In investigating a complaint alleging racial profiling, the Criminal Investigator shall seek to determine if the officer who is subject of the complaint has engaged in a pattern of racial profiling that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures. A single act constituting racial profiling may not be considered a pattern of racial profiling and may not be grounds for corrective action.

4.7. In the event that a complaint of racial profiling filed by an individual involves an occurrence that was recorded on audio or video, the Criminal Investigator shall, upon commencement of the investigation of the complaint and upon written request of the officer, promptly provide a copy of the recording to the peace officer that is a subject of the complaint.

4.8. The police department of the City of Hill Country Village shall provide education to the public concerning the racial profiling complaint process. A summary of the public education efforts made during the preceding year shall be included with the annual report filed with the governing body of the City of Hill Country Village under Part 6 below.

5.0. Corrective Action

5.1. Any peace officer who is found, after investigation, to have engaged in racial profiling in violation of this policy shall be subject to corrective action, which may include reprimand; diversity, sensitivity or other appropriate training or counseling; paid or unpaid suspension; termination of employment, or other appropriate action as determined by the Chief of Police.

6.0. Collection of Information and Annual Report When Citation Issued or Arrest Made

6.1. For each traffic stop in which a citation is issued and for each arrest resulting from such traffic stops, a peace officer involved in the stop shall collect information identifying the race or ethnicity of the person detained, stating whether a search was conducted, and if a search was conducted, whether the person detained consented to the search.

6.2. The information collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Hill Country Village no later than March 1 of the following year. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

7.0. Audio and Video Equipment

7.1 All vehicles are equipped with video and audio equipment. No vehicle will be used for patrol use if the video and audio equipment is inoperable.

7.2 Exception to this rule may be made by the Chief of Police.

8.0. Review of Video and Audio Documentation—Standards

8.1. In the event that audio and video equipment is installed, each audio and video recording shall be retained for a minimum period of ninety (90) days unless a complaint is filed alleging that a peace officer of the City has engaged in racial profiling with respect to a traffic or pedestrian stop, in which case the recording shall be retained until final disposition of the complaint.

8.2. In conjunction with preparation of the annual report required under Part VI above, the Criminal Investigator shall periodically conduct reviews of a randomly-selected sampling of video and audio recordings made recently by peace officers employed by the City in order to determine if patterns of racial profiling exist.

8.3. In reviewing audio and video recordings, the Criminal Investigator shall seek to determine if the officer who is involved therein has engaged in a pattern of racial profiling that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures. A single act constituting racial profiling may not be considered a pattern of racial profiling, and may not be grounds for corrective action.

9.0. Collection, Compilation, Analysis, and Reporting Requirements in Absence of Either Audio and Video Equipment or Non-Funding Certification by the Governing Body

9.1. In addition to the annual report required when citations are issued and arrests made, any peace officer who operates a vehicle with video and audio equipment system that is inoperable shall make the following report for each traffic and pedestrian stop:

9.1.1. a physical description of each person detained as a result of the stop, including:

9.1.1.1. the person's gender; and

9.1.1.2. the person's race or ethnicity, as stated by the person, or if the person does not state the person's race or ethnicity, as determined by the officer to the best of his or her ability;

9.1.2. the traffic law or ordinances alleged to have been violated or the suspected offense;

9.1.3. whether the officer conducted a search as a result of the stop, and, if so, whether the person detained consented to the search;

9.1.4. whether any contraband was discovered in the course of the search and the type of contraband discovered;

9.1.5. whether probable cause to search existed and the facts supporting the existence of that probable cause;

9.1.6. whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

9.1.7. the street address or approximate location of the stop; and

9.1.8. whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

9.2. The information in each report shall be analyzed and compiled in a report that covers the period January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Hill Country Village no later than March 1 of the following year. Each such report shall include:

9.2.1. a comparative analysis of the information compiled by each officer under Part 9.1 to:

9.2.1.1. determine the prevalence of racial profiling by peace officers employed by the City; and

- 9.2.1.2. examine the disposition of traffic and pedestrian stops made by officers employed by the City, including searches resulting from such stops; and
- 9.2.2. information relating to each complaint filed with the City alleging that a peace officer employed by the City had engaged in racial profiling.
- 9.2.3. The report required by this Part 9 may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by an officer.
- 9.2.4. The compilation of information, analysis, and report required by this Part 9 shall not be required for any calendar year during which (1) the City has equipped all motor vehicles regularly used to make traffic and pedestrian stops with video equipment, and each traffic and pedestrian stop made by a peace officer employed by the City that is capable of being recorded by video and audio equipment, as appropriate, has been so recorded; or (2) the City has certified to the Department of Public Safety that it needs funds for such video equipment, as described in Part 7.3 above, but has not received such funds.

10.0. Peace Officer and Police Chief Training

- 10.1. Each peace officer employed by the City shall complete the comprehensive education and training program on racial profiling established by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) not later than the second anniversary of the date the officer was licensed, the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.
- 10.2. The Chief of Police shall, in completing the training required by Section 96.641, Texas Education Code, complete the program on racial profiling established by the Bill Blackwood Law Enforcement Management Institute of Texas.

Frank Morales
City Administrator

Racial Profiling Defined & Complaint Policy

Racial Profiling Prohibited

The Hill Country Village Police Department has established Policy # 123, concerning the prohibition of racial profiling as set out in state and federal laws concerning racial profiling and discriminatory practices in general. Discrimination in any form, including racial profiling, is strictly prohibited and the department will take immediate and appropriate action to investigate allegations of discrimination. This policy applies to all members of the Hill Country Village Police Department.

What is racial profiling?

Racial profiling is any law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or information identifying the individual as having engaged in criminal activity.

Examples of racial profiling include but are not limited to the following:

- Initiating a traffic stop on a particular vehicle because of the race, ethnicity, or national origin of the driver of a vehicle
- Stopping or detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.
- Stopping or detaining an individual based on the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.

Data Reporting

Personnel designated by the Chief of Police will compile and place into a report format all incidents concerning racial profiling. The Chief of Police shall disseminate this data as required by statute.

Complaint Process

The department shall accept complaints from any person who believes he or she has been stopped, searched, or inappropriately ticketed or arrested based on racial, ethnic, or national origin profiling. No Person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because he or she filed such a complaint. Employees and supervisors shall report any racial profiling practice they observe.

How Do I Make a Complaint

Complaints against members of the Hill Country Village Police Department may be made by letter or in person, and under certain circumstances by phone. No matter how the complaint is made it is the responsibility of the contacted supervisor to inform the complainant of the proper procedure for filing the complaint. State law requires that complaints involving police officers be sworn under oath and notarized. Complaints can be filed directly at the Hill Country Village City Police Department. The address of the Hill Country Village Police Department is 116 Aspen Lane, Hill Country Village, Texas 78232, telephone number 210.494.3671.

What Happens To My Complaint After It Is Received?

All complaints received by the department are processed through the Sergeants on duty. If there is not a Sergeant on duty, complaints will be reviewed by the Chief of Police. When a complaint is received, it is reviewed to determine the nature of the allegations. The Chief of Police investigates the most serious type of complaints. These complaints involve allegations such as excessive force, any discharge of firearms, or criminal activity such as theft. Complaints comparatively less serious in nature, such as rude behavior or improper procedure, are forwarded to the individual employee's Sergeants for investigation. In every case, the person making the complaint will be contacted during the investigation for additional information, and will be notified by mail of the final disposition.

The Hill Country Village Police Department's supervision team along with the Chief of Police is mandated to investigate allegations of misconduct against employees of the Hill Country Village Police Department. It is a fact-finding entity, and its purpose is three-fold.

Protection of the Public

The public has the right to receive fair, efficient, and impartial law enforcement. Any misconduct by department personnel must be detected, thoroughly investigated, and properly adjudicated to assure the maintenance of this right.

Protection of the Department

The department is often evaluated and judged by the conduct of its individual employees. It is imperative that the whole organization not be criticized because of the conduct of a few. An informed public must have confidence that its police department honestly and fairly investigates and adjudicates all allegations of misconduct against its employees.

Protection of the Employee

Employees must be protected against false or misinformed allegations of misconduct. This can only be accomplished through a consistently thorough investigative process.

Important Numbers

Police Emergency: 911

Fire Emergency: 911

Medical Emergency: 911

Non-emergency police Service

210.494.3671

Police Dispatch

Bexar County Sheriff's Office

210.335.6000

TEXAS DEPARTMENT OF PUBLIC SAFETY

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January 6, 2012

Hill Country Village Police Department
116 Aspen Lane
Hill Country Village, Texas 78232

Dear Chief Morales,

The Department has received your agency's request for driver record information to assist you in complying with the requirements of Code of Criminal Procedures §2.131.

This report was generated in July 2011. The report reflects the race demographics by sex and zip code for all driver license records on the date the report was generated. For all future requests, you must specifically indicate each zip code for which you want information.

Data provided in this report is derived from the race codes maintained in the Department's driver record file. Race codes are established for the purpose of driver license issuance and include Black, White, Indian, Asian, Hispanic and Other. According to the Texas Law Enforcement Manual §02.10.04 (1a), "Other" is to be used for those of "mixed" races/backgrounds who refuse to accept any of these classifications, or for other unusual situations.

Driver Record information is exempted from release under the Open Records Act and provides that information relating to an individual's driver license can be released only in accordance with Chapter 730 of the Texas Transportation Code (TRC). This statute allows the release of driver record information to a government law enforcement entity. Further, TRC §521.049(c) provides the authority to release information in a class-type listing to a government entity. However, the Department is prevented from releasing class-type listings to nongovernmental entities under TRC §521.051.

The Department understands that the intended use of the requested information could lead to its release in an open government forum or a required report. However, the Department is not waiving any exceptions to disclosure under the Open Records Act by providing this report. In addition, due to restrictions related to providing class-type listings to nongovernmental entities, the Department requests that your agency refrain from disseminating this document.

Sincerely,

Margaret Spinks

Margaret Spinks, Manager
License and Record Service

MS:mk

Bear County - Hill Country Village PD
78232

	AMERICAN INDIAN/ALASKAN NATIVE	ASIAN/PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
Male	26	491	696	404	15634	863	18114
Female	19	590	590	351	15914	792	18256
All	45	1081	1286	755	31548	1655	36370